

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DATE FILED: 08/27/2020

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In Re: A.N. FRIEDA DIAMONDS, INC.,

Index No. 1:20-cv-04008-MKV

RONI RUBINOV and NEW LIBERTY
PAWN SHOP, INC.,

Appellants
-----x

Motion for Extension of Time to File Brief

RONI RUBINOV and NEW LIBERTY PAWN SHOP, INC. appellants in this action, by Akiva Shapiro, Esq. their attorney, moves this Court to grant an extension of time for filing their brief in this matter, and as their grounds for this motion shows as follows:

1. Under the provisions of Fed. R. Bankr. P. 8018, movants' brief is due to be filed and served on or before July 20, 2020.
2. Movants will be unable to file and serve their brief by such time for the reason that due to the current pandemic, prior counsel has been unable to supply the trial exhibits to the undersigned in time, and opposing counsel has refused to do so, as appears from the affidavit of movant's counsel attached to this motion.

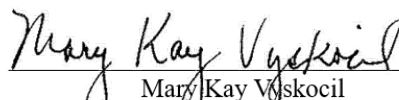
Therefore, appellants respectfully request that this Court grant an extension of the time for filing their brief for a period of 45 days to August 31, 2020.

Dated: Nassau County, New York
July 16, 2020

/s/ Akiva Shapiro
Akiva Shapiro, Esq.
Akiva Shapiro Law, PLLC
Attorney for Appellants
Mailing Address:
696 Old Bethpage Road #540
Old Bethpage, NY 11804
Tel: 347-435-6529
Fax: 347-710-2543
Email: akiva@shapirolaw.nyc

Granted. SO ORDERED.

Date: 08/27/2020
New York, New York


Mary Kay Vyskocil
United States District Judge

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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RONI RUBINOV and NEW LIBERTY
PAWN SHOP, INC.,

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**Attorney Affirmation in Support of Petitioners'
Motion for Extension of Time to File Brief**

Akiva Shapiro, an attorney-at-law duly admitted to practice in the Courts of the State of New York, makes the following statement under the penalties of perjury.

1. I am an attorney with the law firm of Akiva Shapiro Law, PLLC, and I am familiar with the facts of this case, and I represent Petitioners RONI RUBINOV and NEW LIBERTY PAWN SHOP, INC.
2. I make this Affirmation in support of appellants' motion for an extension of time to file their brief.
3. This action is an appeal from an underlying Bankruptcy judgment in favor of the Trustee.
4. Appellants' brief is due for filing and service on or before July 20, 2020.
5. The undersigned was retained after the underlying trial had concluded and the decision entered.
6. It is important for the undersigned to review the trial exhibits in order to most effectively draft appellants' brief.

7. On or about May 20, 2020, the undersigned requested of the Trustee's counsel copies of the trial exhibits. Counsel replied that the Trustee denied my request and referred me to prior counsel.
8. On or about May 21, 2020, the undersigned requested of prior counsel copies of the trial exhibits. Counsel indicated that he was temporarily displaced from his office and indicated that he would be able to assist upon his return.
9. Today, July 16, 2020, prior counsel sent an email indicating that he will be able to provide the trial exhibits shortly, but still needs a few days.
10. The undersigned will be on vacation after tomorrow, returning to the office August 6, 2020.
11. Given the timeframe, it doesn't appear practical that the undersigned will receive the trial exhibits in a timely enough fashion to effectively review and incorporate as needed into the brief.
12. The undersigned reached out today to the attorney for the Trustee, and advised him of appellants' intent to request an extension and asked if he would consent. He replied that he would inquire with the Trustee whether or not the Trustee has any objection to this request. I have not heard back before filing this motion.

WHEREFORE, appellants respectfully request that this Court grant an extension of the time for filing their brief for a period of 45 days to August 31, 2020.

Dated: Nassau, New York
July 16, 2020

/s/ Akiva Shapiro
Akiva Shapiro, Esq.
Akiva Shapiro Law, PLLC
Attorney for Appellants
Mailing Address:
696 Old Bethpage Road #540
Old Bethpage, NY 11804
Tel: 347 435-6529 Fax: 347-710-2543
Email: akiva@shapirolaw.nyc